

Sevier

MINUTES OF MEETING WITH MURPHY DITCH USERS
AND SALINA CREEK IRRIGATION COMPANY

A meeting was held Wednesday, December 11, 1968, as a follow-up to our meeting in March, 1968.

Those attending the meeting were:

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| Hubert C. Lambert | State Engineer |
| Donald C. Norseth | State Engineer's Office |
| Earl M. Staker, Price Area Engineer | State Engineer's Office |
| Roger Walker, Commissioner | Lower Sevier River |
| Bruce Whited, Commissioner | Upper Sevier River |
| Thorpe Waddingham | Consolidated Reservoir Cos. |
| Blain Poulson, President | Salina Creek Irrigation Co. |
| Horace J. Horne | Salina Creek Irrigation Co. |
| Ted Shephard | Salina Creek Irrigation Co. |
| Harry Miller | Murphy Ditch |
| Morris H. Curtis | Murphy Ditch |

Donald C. Norseth opened the meeting by reading the minutes of our meeting in March, 1968.

Hubert C. Lambert suggested we begin the meeting by having the Water Commissioner, Roger Walker, give a report on his measurements and observations during the past season.

Roger Walker stated that there were no measuring devices or diversion structures in the Murphy Ditch as yet, and this does not comply with Mr. Lambert's instructions at our last meeting, although he did estimate the flow as best he could. There was water in the Murphy Ditch from May 1 to June 25 and he estimated they used 320 acre-feet of water during this period.

The users commented that this figure was high because trash would shut the ditch off and they would not get it open until early in the morning.

Mr. Lambert asked why they had not installed the necessary measuring devices. Their reply was that they had waited until it was too late.

Mr. Norseth then explained his results of a search of our records

and those of the Cox Decree to find a water right for the Murphy Ditch other than the right for Salina Creek in the Cox Decree. He explained that he had found no other water right for the Murphy Ditch, but that he had found maps in support of the Cox Decree, which he presented to show that this ditch and irrigation under it were described as part of the Salina Creek Irrigation Company's water right in the Cox Decree.

Mr. Harry Miller, representing Murphy Ditch Users, presented a document from the County Recorder's Office found in Book B of Water on pages 90 to 94, which stated they had a right to divert water from Salina Creek, but the document goes on to say that the individuals turned over any rights they may have had to the Salina Creek Irrigation Company in lieu of shares of stock in the Company. A copy of the document is attached hereto.

Mr. Blain Poulson, President of Salina Creek Irrigation Company, stated that the Company delivers water to the Murphy Ditch from their trunk canal by means of a flume across the creek and they do not intend to have any of their water rights diverted into the Murphy Ditch from the creek.

Mr. Lambert stated that all water involved is a part of the right of Salina Creek Irrigation Company and any water diverted through Murphy Ditch will be deducted by the Water Commissioner from Salina Creek Irrigation Company's diversion into the Trunk Canal. If the irrigation company agrees to let the Murphy Ditch divert from the creek.

He also made it clear that no water is to be diverted without sufficient control gates and measuring devices.

Mr. Lambert offered the services of his Area Engineer in Price, Earl Staker, to assist the users in setting up a better distribution system.

Mr. Lambert summarized his policy as follows:

1. If water is to be diverted into the Murphy Ditch, the following will be adhered to:
 - a. Agreement by the Murphy Ditch Users and the Salina Creek Creek Irrigation Company to the use of this ditch.
 - b. The deduction of flow in the trunk canal to correspond with that water diverted into Murphy Ditch, so that all diversions do not exceed the right of Salina Creek Irrigation Company.
 - c. That no water be diverted by Murphy Ditch unless diversion control gates and measuring devices, approved by the State Engineer and Water Commissioner, are properly installed.

There being no further business, the meeting adjourned.

This Indenture, made the ____ day of December, A. D. 1891, betw. Josiah F. Martin and
 Anna Martin, his wife, Jonas Mattsson and M. C. Mattsson, his wife, Oscar Mattsson,
 Latter Day Saints Ecclesiastical Corporation, Mathias Erickson, and Hanna Erickson, his
 wife, Allen Forshee, and Elizabeth Forshee, his wife, George S. Gates and Elizabeth
 Gates, his wife, H. G. Gudmundson and Lucy Gudmundson, his wife, Harvey Heath, and Susanna
 Heath, his wife, George A. Foote, and Sarah B. Foote, his wife, Lawrence Hogan, Mary Sophia
 Jensen, Charles Jensen, William Jensen, William Miller, C. J. Mortensen, and Emeline
 Mortensen, his wife Matilda Nelson, Hannah Nielson, Hans C. Nielson, and Mary Nielson,
 his wife P. L. Nordfelt, and M. Nordfelt, his wife Emanuel Poulsen and Ellen Poulsen,
 his wife Presbyterian Church, E. Wilmer Peterson, Christopher Rasmussen, and Zina Rasmussen,
 his wife, George Robins, and Mrs Geo Robins, his wife, Town of Salina, Salina Relief Society
 Jesse P. Steele, and Minnie Steele, his wife Olene Larsen, May Rickets, Maria Brienholt,
 Thomas W. Simper, and Mary E. Simper, his wife, H. S. Anderson, and Millie Anderson, his wife,
 John Arneson and Agnes C. Arneson, his wife Josephine B. Allred, Matilda Jorgensen, Delbert
 Burgess, and Mary ann Burgess, his wife, Claud Burgess, Maggie Crosier, Abel Casto, and
 Eliza J. Casto, his wife. J. Thomas Crane, and Martha Crane, his wife Lars Christofferson,
 and Anna Christofferson, his wife, Andrew Dahlsrud and Annie Dahlsrud, his wife, Salina
 District School. John Kenney and Ester Kenney his wife, Hattie Allred, Orson Cuddeback,
 and Mary Cuddeback, his wife Alfred U. Kesler and Laura H. Kesler, his wife Murry Kesler,
 Earl C. Johnson and Erika Johnson, his wife

The parties of the first part, and the Salina Creek Irrigation Company, the party of the
 second part, whose principal place of business is at Salina Precinct, in the County of Sevier,
 Utah Territory. Witnesseth, that whereas, the said Salina Creek Irrigation Company has
 been duly incorporated under the laws of Utah Territory, to which it is intended by this
 instrument, to transfer all the right, title, and interest of the parties of the first part,
 which they and each of them have and claim in and to the amount of water rights hereinafter
 set opposite to each of our names respectively, from the waters of Salina Creek, flowing, or
 rightfully to flow, in either, or all of the following described ditches and canals, viz;

1. The North Field, main Canal, tapping Salina Creek, about One Mile South-east from the
 Town of Salina, on the North side of said Creek, and thence running in a North-westerly
 direction.
2. The South field main Canal, tapping Salina Creek about One half mile South-East from the
 Town of Salina, on the South side of said Creek, thence running in a Westerly direction.
3. What is known as the "Waters Ditch", tapping said Salina Creek on the South side thereof,
 about two and one half miles, South-East from said Town of Salina, thence running in a Westerly
 direction, and
4. What is known as the 'Murphy Ditch', tapping the said Creek on the South-side thereof,
 about one and one-half miles South-east from said Town of Salina, thence running in a Westerly
 direction - and, also all of our, and each of our rights, titles and interests, in and to
 said above described ditches or canals, or either of them, with the appurtenances thereunto,
 and to each of them belonging, for the purposes of conducting and conveying said hereinafter
 described amount of water, into or through said or either of said ditches, for Irrigation
 and other purposes, to wit:

Josiah F. Martin and wife
 Jonas Mattsson and wife
 Oscar Mattsson
 Latter Day Saints Ecclesiastical Corporation
 Mathias Erickson and wife
 Allen Forshee and wife
 George S. Gates and wife
 H. G. Gudmundson and wife
 Harvey Heath and wife
 George A. Foote and wife
 Lawrence Hogan
 Mary Sophia Jensen
 Charles Jensen
 William Jensen
 Ellen Miller

63 acres of water - rights
 20 Acres of water - rights
 5. Acres of water - rights
 6. Acres of water - rights
 2. Acres of water - rights
 2. Acres of water - rights
 2. Acres of water - rights
 2. Acres of water - rights
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 2. Acres of water - rights
 4. Acres of water - rights
 13. Acres of water - rights
 1. Acres of water - rights
 6 Acres of water - rights
 24 Acres of water - rights

William Miller
 C. J. Mortensen and wife
 Matilda C. Nelson
 Hannah Nielson
 Hans C. Nielson and wife
 P. L. Nordfelt and wife
 Emanuel Poulsen and wife
 Presbyterian Church
 E. Wilmer Peterson
 Christopher Rasmussen and wife
 George Robins and wife
 Town of Salina
 Salina Relief Society
 Jesse F. Steele and wife
 Olena Larsen
 May Rickets
 Thomas W. Simper and wife
 N. S. Anderson and wife
 John Arneson and wife
 Josephine B. Alired
 Matilda Jorgensen
 Delbert Burgess and wife
 Claud Burgess
 Maggie Crosier
 Abel N. Casto and wife
 Hettie Allred
 J. Thomas Crane and wife
 Lars Christofferson and wife
 Andrew Dahlsrud and wife
 Salina District School
 Sophia Hansen
 Maria Brienholt
 John Kenney and wife
 Orson Cuddeback and wife
 Alfred W. Kesler and wife
 Marry Kesler
 Carl E. Johnson and wife

2. Acres of water - rights
 2. Acres of water - rights
 1. Acre of water - rights
 5. Acres of water - rights
 3. Acres of water - rights
 3. Acres of water - rights
 3 1/2. Acres of water - rights
 2. Acres of water - rights
 2. Acres of water - rights
 4. Acres of water - rights
 5. Acres of water - rights
 7. Acres of water rights
 1. Acre of wat . . . rights
 4 1/2. Acres of water - rights
 1. Acre of water rights
 4. Acres of water rights
 16. Acres of water rights
 2. Acres of water rights
 1. Acre of water right
 2. Acres of water right
 4. Acres of water rights
 7 1/2. Acres of water rights
 7 1/2. Acres of water rights
 1. Acres of water rights
 2. Acres of water rights
 6. Acres of water rights
 2 Acres of water rights
 3. Acres of water rights
 8. Acres of water rights
 2. Acres of water rights
 2. Acres of water rights
 2. Acres of water rights
 20. Acres of water rights
 10. Acres of water right
 4. Acres of water rights
 2. Acres of water rights
 4. Acres of water rights

Now therefore, Know all men by these presents that the parties of the first part, and each of them whose names are hereunto subscribed, in consideration of Certificates of Stock in said Incorporated Company, here after to be issued to them, their, and each of their heirs and assigns, in accordance with the Certificate of Incorporation do, by these presents, grant, bargain, sell, transfer, remise, release, and quit-claim unto the said Salina Creek Irrigation Company, all their, and each of their right, title, interest, claim and demand whatsoever, in law, or in equity, of, in and to, all of said Water Right and ditches, and Canals, situated and being in Sevier County, Utah Territory, and described as aforesaid; together with all and Singular, the hereditaments and appurtenances.

To have and to Hold the said premises and above described property, with their appurtenance unto the said Salina Creek Irrigation Company, its Successors and assigns for ever.

In witness whereof, said parties of the first part, have hereunto set their hands, and Seals, the day and year first above written.

H. G. Gudmundson (Seal)
 D. Burgess (Seal)
 E. M. Humphrey (For Salina Relief Society) (Seal)

Chas Jensen (Seal)
 Wm Jensen (Seal)
 Mary S Jensen (Seal)

Geo. S. Gates (Seal)
 Margaret Freece, Trustee Pres. School (Seal)
 Allen Forshee (Seal)
 John T. Crane (Seal)
 Lucy Gudmundson (Seal)
 Mrs D. Burgess (Seal)
 Mrs A. M. Jorgensen (Seal)
 J. S. Jansen Bishop & Pre At (Seal)
 Olene Larsen (Seal)
 Ed Miller (Seal)
 Elizabeth Gates (Seal)
 Harolda C. Nelson (Seal)
 Elizabeth Forshee (Seal)
 Martha Crane (Seal)
 John Arneson (Seal)
 Joseph F. Martin (Seal)
 Carl E. Johnson (Seal)
 A. W. Kesler (Seal)
 P. L. Nordfelt (Seal)
 Lars Christophersen (Seal)
 Chris Rasmussen (Seal)
 Geo. A. Foote (Seal)
 Maggie Crozier (Seal)
 Abel K. Gaste (Seal)
 Jonas Mattsson (Seal)
 Christian J. Mortensen (Seal)
 H. C. Nielsen (Seal)
 George Robins (Seal)
 Hannar Hox J Nielsen (Seal)
 Josephine E. Allred (Seal)
 H. S. Andersen (Seal)
 Mettias Erickson (Seal)
 Harry Heath (Seal)
 Andrew Dahlstrom (Seal)
 Jesse P. Stork (Seal)
 Gland D. Burgess (Seal)
 May Ricketts (Seal)

T. W. Simpser (Seal)
 Emanuel Poulsen (Seal)
 Hettie Allred (Seal)
 John Kenney (Seal)
 Orson Cuddeback (Seal)
 Aggie Arneson (Seal)
 Erna Martin (Seal)
 Erika Johnson (Seal)
 Laura H. Kesler (Seal)
 Mathilde Nordfelt (Seal)
 Anna Christophersen (Seal)
 Lina Rasmussen (Seal)
 Frank D. Foote (Seal)
 Sofia Hansen (Seal)
 Edna L. Gaste (Seal)
 M. C. Mattsson (Seal)
 Emeline Mortensen (Seal)
 Mrs George Robins (Seal)
 Jonas Mattsson, Town President (Seal)
 Maria M. Breinholt (Seal)
 Millie Anderson (Seal)
 Victor Erickson (Seal)
 Susannah Hox (Seal)
 Lina Dahlstrom (Seal)
 Edna D. Steele (Seal)
 Oscar Mattsson (Seal)
 Edna J. Peterson (Seal)
 Mary J. Peterson (Seal)
 Lawrence H. (Seal)
 Robert Hox (Seal)
 Mary Carlsson (Seal)
 Edna Kesler (Seal)

Subscribed to before me this 14th day of December, A. D. 1968.

W. H. Evans Notary Public
 Sevier Co., Utah.

W. H. Evans Notary Public
 My commission expires Aug. 1, 1970.

CERTIFICATE

STATE OF UTAH)
 COUNTY OF SEVIER) SS

I, Florence E. Pace the duly elected and acting Recorder of Sevier County, State of Utah, do hereby certify and declare that the within instrument is a true and correct copy of the original INSTRUMENT as shown to me by E. B. Pace, President of CALIFORNIA WATER GAIN COMPANY as filed in this office on and to the order of the said E. B. Pace, on the 14th day of December, A. D. 1968, at page 30-1-2-1-4 under the name of E. B. Pace, and that the same is on file in the Sevier County Recorder's Office.

In Witness Whereof I hereunto set my hand and official seal of said office on this 14th day of December, A. D. 1968.

Florence E. Pace

Florence E. Pace
 Sevier County Recorder